

AMENDMENT TO H.R. 1106
OFFERED BY MS. MATSUI OF CALIFORNIA AND
MS. CASTOR OF FLORIDA

Page 47, after line 13, insert the following new title
(and conform the table of contents accordingly):

1 **TITLE III—FORECLOSURE**
2 **MORATORIUM PROVISIONS**

3 **SEC. 301. SENSE OF THE CONGRESS ON FORECLOSURES.**

4 (a) IN GENERAL.—It is the sense of the Congress
5 that mortgage holders, institutions, and mortgage
6 servicers should not initiate a foreclosure proceeding or
7 a foreclosure sale on any homeowner until the foreclosure
8 mitigation provisions, like the Hope for Homeowners pro-
9 gram, as required under title II, and the President’s
10 “Homeowner Affordability and Stability Plan” have been
11 implemented and determined to be operational by the Sec-
12 retary of Housing and Urban Development and the Sec-
13 retary of the Treasury.

14 (b) SCOPE OF MORATORIUM.—The foreclosure mora-
15 torium referred to in subsection (a) should apply only for
16 first mortgages secured by the owner’s principal dwelling.

17 (c) FHA-REGULATED LOAN MODIFICATION AGREE-
18 MENTS.—If a mortgage holder, institution, or mortgage

1 servicer to which subsection (a) applies reaches a loan
2 modification agreement with a homeowner under the aus-
3 pices of the Federal Housing Administration before any
4 plan referred to in such subsection takes effect, subsection
5 (a) shall cease to apply to such institution as of the effec-
6 tive date of the loan modification agreement.

7 (d) DUTY OF CONSUMER TO MAINTAIN PROPERTY.—
8 Any homeowner for whose benefit any foreclosure pro-
9 ceeding or sale is barred under subsection (a) from being
10 instituted, continued , or consummated with respect to any
11 homeowner mortgage should not, with respect to any prop-
12 erty securing such mortgage, destroy, damage, or impair
13 such property, allow the property to deteriorate, or commit
14 waste on the property.

15 (e) DUTY OF CONSUMER TO RESPOND TO REASON-
16 ABLE INQUIRIES.—Any homeowner for whose benefit any
17 foreclosure proceeding or sale is barred under subsection
18 (a) from being instituted, continued , or consummated
19 with respect to any homeowner mortgage should respond
20 to reasonable inquiries from a creditor or servicer during
21 the period during which such foreclosure proceeding or
22 sale is barred.

